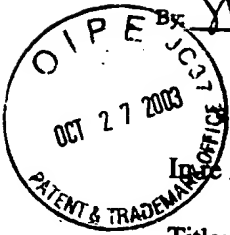


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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor Application of: Hillman et al.

Title: CALCIUM-BINDING PROTEIN

Serial No.: 09/768,840

Filing Date: January 23, 2001

Examiner: Rawlings, S.L.

Group Art Unit: 1642

Mail Stop: Sequence  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### SUBSTITUTE SUBMISSION UNDER 37 CFR §1.821- 1.825 SEQUENCE LISTING

Sir:

In accordance with the requirements of 37 CFR § 1.821-1.825, Applicants hereby submit one (1) Substitute diskette containing the computer-readable information for the Substitute Sequence Listing of the above-identified application. The diskette complies with the requirements of 37 CFR § 1.824 and is PC compatible using a Windows NT Operating System with WordPerfect software and saved in ASCII text format.

Enclosed is a paper copy of the Substitute Sequence Listing.

The content of the Substitute Sequence Listing paper copy is identical to the computer-readable copy, as required under 37 CFR § 1.821(f). The Substitute Sequence Listing includes no new matter.

Respectfully submitted,

INCYTE CORPORATION

Date: August 19, 2003

[Signature]  
Terence P. Lo  
Limited Recognition (37 C.F.R. 10.9 (b)) attached  
Direct Dial Telephone: (650) 621-8581

Customer No.: 27904  
3160 Porter Drive  
Palo Alto, California 94304  
Phone: (650) 855-0555  
Fax: (650) 849-8886



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**Notice to Comply**

Applicati n No.

09/768,840

Examiner

Stephen L. Rawlings, Ph.D.

Applicant(s)

HILLMAN ET AL.

Art Unit

1642

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 135 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: The specification discloses amino acid sequences, which are each of sufficient length, i.e., an unbranched chain of at least four specifically identified amino acids, to fall under the requirements set forth in 37 CFR §§ 1.821-1.825, at page 1 in lines 27 and 28, respectively. If necessary, Applicants are required to submit substitute copies of the sequence listing and the statement, as indicated below.

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

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